

Heather Frazier -- 611 208th AVE SE, Sammamish WA 98074

EXHIBIT NO. 136

To Whom It May Concern:

I would like to express my concerns and give some background information on my current situation concerning the ongoing development and it's impacts in the area. While I understand the need and more importantly the desire to develop land, I now unfortunately understand better the repercussions of development. Due to the development of the land AROUND me, I have lost the ability to develop my own land and more importantly have lost and am continuing to lose land as well as the use of my land.

When I moved to Sammamish in 1999 and bought my 3+ acre property adjacent to the ravine containing Ebright Creek I was enamored with the amount of trees and undeveloped pasture land around me. A few years later a new neighborhood, The Arbors, began development. While I did notice an impact on the amount of water that my property started to have, I didn't think too much of it. However, when Chestnut Lane was in its infancy and an easement was granted underneath the road in front of my home was when the real problems began. While my neighbors and I took great care to determine which trees could be salvaged during the process and worked with the City and the Water District to insure the trees would be saved during the construction process, our efforts were ignored. A large cutting truck plowed down the road and took out all trees within its reach. While I suffered through the construction of the sewer and water lines being placed under the road and the damage done to the vegetation around the site, I still had faith that both the developer and the city knew what they were doing.

Once construction of Chestnut Lane began, I started to notice a large increase in the amount of water that was accumulating on my property. I have a gravel turnaround area that developed sink holes and the retaining wall around it also began to fail. I noticed a significant increase in the amount of water over my driveway, but I also noticed an increase in water that appeared from virtually nowhere as it was now bubbling up from underneath the ground. At this point I started to become concerned.

In 2008, when the application for the development of Greenbriar was proposed and included an infiltration system I became downright scared. I voiced my concerns, along with my neighbor, to the City concerning both the development and the infiltration system. Being directly downstream from the development, logic provided that the water would only have one direction to go and I was in the immediate path of that direction. At the time, the detention pond for the site was on 212th which seemed like it was a little bit away and I was assured that the infiltration would be greatly dispersed before reaching my property and that not only was infiltration a tested remedy, but that I would end up with less water on my property. It was stated that Ebright Creek was 60 feet high and therefore required a 60 foot setback. The plan proposed was for a 500 foot setback from the Ebright Creek ravine and would allegedly exceed minimum requirements and provide adequate distance for seepage to occur. My further concern was for overland water that would be put onto my property due to the proposed sewer collection and infiltration system. I was assured that not only would the seepage not impact me, but theoretically I would have LESS water coming across my property. When asked what my recourse was should their theory fail, I was given the following in writing:

“During development build-out (construction), the applicant is required to comply with strict regulations and inspection oversight by Washington Department of Ecology (DOE) and City of Sammamish to protect downstream properties from drainage and erosion control impacts.”

“The DOE can levy severe monetary penalties (up to \$25,000 per day) for violations and aggressively requires applicants to resolve violations quickly. The City of Sammamish requires a signed restoration agreement along with assignment of funds and surety bond covering 30 percent of the full costs of grading, erosion control, and right-of-way improvements prior to construction. The City can take the assignment of funds and surety bond to resolve violations in case the applicant does not resolve quickly. Also, the City can withhold final plat recording, building permits and release of maintenance bond for additional leverage.”

I incorrectly assumed that the City, the Developer and the existing laws would insure that I was safe. I was NOT protected. The detention pond was NOT built where it had previously been proposed, inspections were NOT correctly performed, development continued forward and as a result I have suffered the consequences of being directly downstream of this development.

In March of 2011, a major landslide event occurred on my property. This landslide was reviewed by two separate and independent geotechnical engineers and has been classified as a toe slope failure. To clarify, this was not an overland erosion event, but a failure at the base (or toe) of the slope due to an elevated amount of water in the underground water table. This slope failure caused a significant landslide that not only impacted the loss of my property, including a deck as well as a large amount of land, but it included the loss of USE of my property in that the City requested that I no longer use my driveway or my garage. In addition to the consequences I suffered the slide also caused further damage downstream.



Much to my alarm, development of Greenbriar continued forward. And to my greater alarm, the detention pond and infiltration system that was originally proposed to be along 212th was built directly across from me along my road on 208th!

In February 2012, I informed the City that the amount of water on my property was at a record height and that I was experiencing water in places that had never seen water previously and I was also experiencing issues where a previously very small pond on my property had grown so large that it was overflowing onto my driveway.



In March 2012, I made another urgent call to the city stating that not only did it appear that more water was on my property coming from underground sources, but that the Developer was actually draining water onto my property causing an overland flow as well. I expressed my concern that the water had reached catastrophic levels and that I had major concerns that further landsliding may occur. The City

did quickly respond, but seemed more concerned with the turbidity of the water while I was more concerned with both the amount of water and the fact that there was water.





The large amount of water coming onto my property from both overland and underground sources started to cause large rifts and streams and eventually resulted in a second catastrophic landslide. This landslide was a result of the soils being overly saturated and the underlying soils unable to hold the

weight. This second slide was witnessed by both myself and Tawni Hoag of the City of Sammamish. This slide caused the ground to drop by approximately a foot or more and a large mud flat to appear on my property. The resulting flow took out trees, bushes and another significant amount of soil.



While the Developer of Greenbriar capped the pipe that was causing the overland drainage, the damage had already been done. In addition, I now have a constant flow of water from MULTIPLE underground streams on ALL slopes of my property, not just the existing slide slopes. These are all new and have only developed within the last year. These streams are still putting out a very large amount of water, leading me to believe that the hydrology of the underlying water system has been disturbed and has now changed. I do not believe that this was taken into consideration. I believe that it was assumed that

controlling the overland surface water through sewer and infiltration systems would be sufficient and that attention to the underlying hydrology was and is not given enough credence.

It is possible that had the detention pond been put on the originally proposed site, this problem may not have occurred. There might have been enough land between the pond and my property to properly disburse the water underground before it reached my property and ultimately reached the ravine at Ebright Creek. Unfortunately, due to poor planning and the decision to move the detention pond within 15 feet of my property disastrous results have occurred. The infiltration testing that was done to insure that the downstream property owners would allegedly not be impacted was completely negated by the relocation of the pond and the digging and compacting of the ground during development caused many unexpected results, the least of which is the damage to my structures and to my property. In addition, since the water is flowing underground and these underground streams can not be seen, testing does not INSURE that water will flow where we suspect it will.

Development IS a necessary aspect of furthering our community; however attention to the consequences of development must be taken into consideration. And not only the consequences that the development has on the site being developed, but the repercussions on the downstream property owners.

Again, I would have LOVED to be able to develop my land, but that opportunity has been stripped from me. Not by my own doing, not by mother nature, but by the actions of others who are developing without due diligence and consideration. In addition, my right to just USE the land I own has also been put into jeopardy due to these events.

I strongly urge the Committee to take this into consideration prior to making any further decisions regarding erosion control and the development of lands that will impact downstream properties.

Sincerely,

Heather Frazier